

Application Serial No. 10/500,791

OT-4922

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-7, 9, and 11 were pending and were rejected in the Office Action. By way of this Amendment, Applicants have: (a) amended claims 1, 2, 5, 7, and 9; and (b) canceled claims 6 and 11, without prejudice or disclaimer. Accordingly, claims 1-5, 7, and 9 remain pending for further consideration.

1. Rejection of Claims 1-11

The Examiner rejected claims 1-7, 9, and 11 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,057,728 ("Dammeyer"). For at least the following additional reasons, Applicants respectfully continue to traverse this rejection with respect to currently pending claims 1-5, 7, and 9.

As amended herein, claim 1 (i.e., the claim from which claims 2-5 and 7 depend) recites an elevator brake that includes, among other possible things (italic emphasis added):

a rotor having a brake lining on one side of the rotor; and
movable first and second brake plates,
wherein *the first and second brake plates are independently actuatable into engagement with respective ones of two zones of the lining, and*
wherein the first and second brake plates have generally semi-annular braking surfaces that respectively oppose the two zones of the lining on the one side of the rotor.

Similarly, as amended herein, claim 9 recites an elevator brake that includes, among other possible things (italic emphasis added):

a rotor having a lining in two concentric annular zones on one side thereof;
movable first and second brake plates, *the first and second brake plates being independently actuatable into engagement with respective ones of the annular zones of the lining of the rotor;*
first and second springs biasing the first and second brake plates, respectively, toward the rotor;
independently actuatable first and second electromagnets for overcoming the bias of the first and second springs, respectively, to hold the first and second brake plates away from the rotor; and
a stationary housing facing an opposite side of the rotor,
wherein the rotor is urged into engagement with the stationary housing when either of the first and second brake plates engages one of the annular zones of the lining of the rotor, and
wherein the first and second brake plates have generally semi-annular braking surfaces that respectively oppose the two zones of the lining on the one side of the rotor.

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As hereafter explained, Dammeyer fails to teach or suggest the elevator brakes recited in claims 1 and 9.

As above-italicized, claims 1 and 9 recite that the first and second brake plates are "independently actuatable into engagement with respective ones of the" two zones of the lining of the rotor. Further, claims 1 and 9 also recite that the "first and second brake plates have generally semi-annular braking surfaces that respectively oppose the two zones of the lining" on the rotor. In contrast, the rings 52, 54 in Dammeyer that the Examiner analogizes to the first and second brake members recited in claims 1 and 9 do not engage different zones of a lining of the rotor 30. Rather, the rings 52, 54 engage one side of a common pressure plate 56 the other side of which includes brake pads (linings) 36 that engage the rotor 30. Further, as the brake pads (linings) 36 engage the same annular portion of the common pressure plate 50, there are no portions of the brake pads (linings) 36 that are distinctly opposed by each of the rings 52, 54, as recited in claims 1 and 9.

In light of the foregoing, as Dammeyer fails to teach or suggest each of the limitations of claims 1 and 9, standing alone Dammeyer can not be used to reject claims 1 and 9, or any claim dependent thereon, under 35 U.S.C. § 102(b). Moreover, as claims 2-5 and 7 depend from claim 1, each of these dependent claims is also allowable over Dammeyer, without regard to the other patentable limitations recited therein. A withdrawal of the § 102(b) rejection of claims 1-5, 7, and 9 is, therefore, both warranted and respectfully requested.

2. Conclusion

In light of the foregoing, claims 1-5, 7, and 9 remain in condition for allowance. If the Examiner believes that a telephone conference will be useful to move this case forward toward issue, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Respectfully submitted,

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